

§ 1900.45

Panel, shall place administrative appeals of FOIA requests ready for adjudication on the agenda at the next occurring meeting of that Panel. The Executive Secretary shall provide a summation memorandum for consideration of the members; the complete record of the request consisting of the request, the document(s) (sanitized and full text) at issue, and the findings of the concerned Deputy Director(s) or designee(s).

(b) *Decision by the Agency Release Panel.* The Agency Release Panel shall meet and decide requests sitting as a committee of the whole. Decisions are by majority vote of those present at a meeting and shall be based on the written record and their deliberations; no personal appearances shall be permitted without the express permission of the Panel.

(c) *Decision by the Historical Records Policy Board.* In any cases of divided vote by the ARP, any member of that body is authorized to refer the request to the CIA Historical Records Policy Board which acts as the senior corporate board for the Agency. The record compiled (the request, the memoranda filed by the originator and interested parties, and the previous decision(s)) as well as any memorandum of law or policy the referent desires to be considered, shall be certified by the Executive Secretary of the Agency Release Panel and shall constitute the official record of the proceedings and must be included in any subsequent filings.

§ 1900.45 Notification of decision and right of judicial review.

The Executive Secretary of the Agency Release Panel shall promptly prepare and communicate the decision of the Panel or Board to the requester. With respect to any decision to deny information, that correspondence shall state the reasons for the decision, identify the officer responsible, and include a notice of a right to judicial review.

PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974

GENERAL

Sec.
1901.01 Authority and purpose.

32 CFR Ch. XIX (7–1–08 Edition)

- 1901.02 Definitions.
- 1901.03 Contact for general information and requests.
- 1901.04 Suggestions and complaints.

FILING OF PRIVACY ACT REQUESTS

- 1901.11 Preliminary information.
- 1901.12 Requirements as to form.
- 1901.13 Requirements as to identification of requester.
- 1901.14 Fees.

ACTION ON PRIVACY ACT REQUESTS

- 1901.21 Processing requests for access to or amendment of records.
- 1901.22 Action and determination(s) by originator(s) or any interested party.
- 1901.23 Notification of decision and right of appeal.

ADDITIONAL ADMINISTRATIVE MATTERS

- 1901.31 Special procedures for medical and psychological records.
- 1901.32 Requests for expedited processing.
- 1901.33 Allocation of resources; agreed extensions of time.

ACTION ON PRIVACY ACT ADMINISTRATIVE APPEALS

- 1901.41 Establishment of appeals structure.
- 1901.42 Right of appeal and appeal procedures.
- 1901.43 Determination(s) by Deputy Director(s).
- 1901.44 Action by appeals authority.
- 1901.45 Notification of decision and right of judicial review.

PROHIBITIONS

- 1901.51 Limitations on disclosure.
- 1901.52 Criminal penalties.

EXEMPTIONS

- 1901.61 Purpose and authority.
- 1901.62 General exemptions.
- 1901.63 Specific exemptions.

AUTHORITY: National Security Act of 1947, as amended; Central Intelligence Agency Act of 1949, as amended; Privacy Act, as amended; and Executive Order 12958 (or successor Orders).

SOURCE: 62 FR 32488, June 16, 1997, unless otherwise noted.

GENERAL

§ 1901.01 Authority and purpose.

(a) *Authority.* This part is issued under the authority of and in order to implement the Privacy Act of 1974 (5 U.S.C. 552a); sec. 102 of the National Security Act of 1947, as amended (50